

REMARKS

Claims 1-25 are pending in the present application. By this amendment, claims 1-25 are amended. Applicant respectfully requests reconsideration of the present claims in view of the above amendments and following remarks.

I. Claim Rejections Under 35 U.S.C. §101

Claims 14-25 are rejected under 35 U.S.C. §101 because the claimed invention is allegedly directed to non-statutory subject matter. In particular, the Office Action notes that the recitation “module configured...” is not of statutory subject matter because a module configured to perform a method is allegedly a software arrangement and that the recitation “database” is not of statutory subject matter.

As illustrated above, claims 14-25 have been amended to include recitations that are directed to statutory subject matter. In addition, for claims 17 and 23-25 which include recitations regarding a database, Applicant respectfully submits that a database (*i.e.*, computer program structure) claimed as part of an otherwise statutory manufacture or machine remains statutory irrespective of the fact that the database is included in the claim. *See* Interim Guidelines for Examination of Patent Application of Patent Subject Matter Eligibility, page 53. Accordingly, Applicant respectfully submits that since claims 17 and 23-25 are dependent on a claim which meets the statutory requirements of 35 U.S.C. §101, then claims 17 and 23-25 also meet the statutory requirements. Therefore, Applicant respectfully requests withdrawal of these rejections.

II. Claim Rejections Under 35 U.S.C. §103

Claims 1-25 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over United States Patent No. 5,951,611 to La Pierre (hereinafter “La Pierre”) in view of United States Patent No. 5,491,791 to Glowny et al. (hereinafter “Glowny”). This rejection is respectfully traversed.

As amended, claim 1 recites that a method for providing automated diagnosis of problems for a computer network comprises receiving input regarding a problem with the computer network; identifying configuration changes made to the computer network that are

associated with parameters of the problem; associating each of the identified configuration changes with a rank based on a likelihood that each of the identified configuration changes caused the problem; and verifying that the ranked configuration changes are related to the problem.

La Pierre does not teach, suggest, or describe a method for providing automated diagnosis of problems for a computer network as recited by claim 1. On the contrary, La Pierre describes a method for analyzing engine trend data for aircraft engines including calculating trend parameters for available instrumentation; calculating an upper control limit and a lower control limit based on each of the trend parameters; determining whether a point in each of the trend parameters exceeds the upper or lower control limit; and if a point associated with more than one trend parameter exceeds the upper or lower control limit at the same time, then comparing the specific parameters and their change of direction to a fault template including various trend event symptoms to determine if the points exceeding one or more of the control limits is characteristic of a known cause. La Pierre further describes that the resultant set of symptoms generated from the comparison is then scored against all possible causes by applying varying degrees of importance to the match between template symptoms and actual symptoms to determine the most likely cause based on the symptoms.

This is not analogous to the method recited by claim 1 because La Pierre fails to teach or suggest identifying configuration changes made to a computer network that are associated with parameters of a problem and associating each of the identified configuration changes with a rank based on a likelihood that each of the configuration changes caused the problem. Instead, La Pierre describes identifying *points of trend parameters that exceed either an upper or lower control limit (i.e., symptoms of a problem)* and based on those exceeded points, determining *a cause* of the problem, without teaching or suggesting identifying *configuration changes made to a computer network* and associating the identified configuration changes made to the computer network with a rank based on a likelihood that each of the *configuration changes caused the problem*. Further, La Pierre fails to teach or suggest verifying that the points exceeding the upper or lower control limit are related to the problem.

The Office Action relies on the teaching of Glowny to allegedly cure the deficiencies of La Pierre. However, like La Pierre, Glowny does not teach or suggest a method for providing automated diagnosis of problems for a computer network as recited by claim 1. In contrast,

Glowny describes a method for remote workstation monitoring including determining if a remote workstation has a valid copy of a diagnostic routine; if so, then providing a signal to the remote workstation to run the diagnostic routine; receiving an output file report back including the results of the diagnostic routine; and analyzing the results to determine whether a reportable condition exists. This is not analogous to the method recited by claim 1 because Glowny fails to teach or suggest identifying configuration changes made to the remote workstation that are associated with parameters of the condition and associating each of the identified configuration changes with a rank based on a likelihood that each of the configuration changes caused the condition. Instead, Glowny describes that the results of the diagnostic routine are analyzed to determine if there is a reportable condition, without providing any description regarding identifying a cause of the condition.

For at least the reasons given above, claim 1 is allowable over the combined teaching of La Pierre and Glowny. Since claims 2-7 depend from claim 1 and recite further claim features, Applicant respectfully submits that the combined teaching of La Pierre and Glowny does not make obvious Applicant's claimed invention as embodied in claims 2-7. Accordingly, Applicant requests withdrawal of these rejections. Claims 2-7 are also allowable over the combined teaching of La Pierre and Glowny for further reasons. For instance, the combined teaching of La Pierre and Glowny fails to teach or suggest determining a distance between each of the verified configuration changes and the problem and adjusting the rank associated with each of the verified configuration changes based on the determined distance between each of the verified configuration changes and the problem, as recited by claim 7. In particular, La Pierre describes comparing parameter points exceeding upper or lower control limits with a fault template to determine a most likely cause, without teaching or suggesting determining a distance between possible causes and the problem and adjusting the rank associated with each possible cause based on the determined distance. Glowny describes analyzing results of a diagnostic routine to determine if there is a reportable condition, without teaching or suggesting determining a distance between possible causes and the condition and adjusting the rank associated with each possible cause based on the determined distance.

Independent claims 8 and 14 include recitations similar to the recitations of claim 1. Thus, for at least the reasons given above with regard to claim 1, claims 8 and 14 are also allowable over the combined teaching of La Pierre and Glowny. Since claims 9-13 and 15-25

depend from claims 8 and 14, respectively, and recite further claim features, Applicant respectfully submits that the combined teaching of La Pierre and Glowny does not make obvious Applicant's claimed invention as embodied in claims 9-13 and 15-25. Accordingly, Applicant requests withdrawal of these rejections.

CONCLUSION

For at least these reasons, Applicant asserts that the pending claims 1-25 are in condition for allowance. Applicant further asserts that this response addresses each and every point of the Office Action and respectfully requests that the Examiner pass this application with claims 1-25 to allowance. Should the Examiner have any questions, please contact Applicant's attorney at 404.815.1900.

Respectfully submitted,

HOPE BALDAUFF HARTMAN, LLC

Date: June 28, 2007

/Jodi L. Hartman/

Jodi L. Hartman

Reg. No. 55,251

Hope Baldauff Hartman, LLC
1720 Peachtree Street, NW
Suite 1010
Atlanta, Georgia 30309
Telephone: 404.815.1900

